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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,199	08/25/2003	Mete Gursel	1771-25	1483

7590
John S. Egbert
Harrison & Egbert
7th Floor
412 Main Street
Houston, TX 77002

11/09/2006

EXAMINER

PAHNG, JASON Y

ART UNIT	PAPER NUMBER
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3725

DATE MAILED: 11/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/647,199

Applicant(s)

GURSEL, METE

Examiner

Jason Y. Pahng

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 1/30/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

With regard to claim 1, there is no description which would allow an ordinary skill in the art to be able to make an extendable and shrinkable motion transfer element (4) which can be used with a kitchen accessories.

With regard to claim 6, there is no disclosure of an on/off switch on accessories.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claim 1, according to the specification, the motor block of kitchen robot (1) does not comprise the motion transfer element (4). Does the motor block of kitchen robot (1) comprise the motion transfer element (4)?

With regard to claim 2, there is no antecedent basis for "the operations" in line 2. There is no operation previously claimed.

With regard to claim 3, there is no antecedent basis for "the functions of electrical household tools" in line 2. There is no functions previously claimed.

With regard to claim 5, there is no antecedent basis for "the relevant function" in line 2.

With regard to claim 6, according to the drawings, there is no on/off switch on accessories.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6, and 7, as well as can be understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Terry (US 5,799,535) in view of Burton (US 2,840,673).

With regard to claims 1-4, Terry discloses a food processing device with substantially all of the claimed structure including:

1. the device driven by one single motor (14);
2. an elastic and twistable motion transfer element (60); and
3. a special functioning accessory (column 1, lines 5-7).

As for the detachable sleeve, in a closely related art pertinent to the problem, Burton discloses a flexible shaft power device with a detachable sleeve (84) in order to detach the motion transfer element from the motor. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide Terry with a detachable sleeve in order to detach the motion transfer element from the motor, as taught by Burton.

Claim 6, as well as can be understood, calls for an on/off switch on the motion transfer element close to an accessory. Burton discloses an on/off switch (45) on a motion transfer element close to an accessory in order to allow on/off operation near the accessory. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide Terry with an on/off switch on a motion transfer element close to an accessory in order to allow on/off operation near the accessory, as taught by Burton.

With regard to claim 7, Terry discloses a food processing device driven by one single motor capable of being used to carry out a hand blender operation, a formed cookies application, hand mixer operation, washbasin and dishing brush operations, can opening operations, bread cutting operations and food chopping, cutting, breaking into pieces operations.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Terry (US 5,799,535) in view of Burton (US 2,840,673), further in view of Brady et al. (US 6,748,853). Terry discloses a speed controller (column 3, lines 49-51), but does not specifically recite that the speed controller is located on the motor block. In a closely related art, Brady discloses a food processor with a speed controller (162) located on a motor block in order to control the speed of the motor. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide Terry (as modified) with a speed controller located on a motor block in order to control the speed of the motor, as taught by Brady.

Conclusion

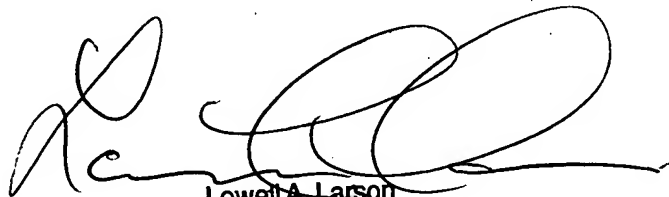
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Y. Pahng whose telephone number is 571 272 4522. The examiner can normally be reached on 9:30 AM - 8:00 PM, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571 272 4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3725

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JYP

A handwritten signature in black ink, appearing to read 'Lowell A. Larson', written in a cursive style.

Lowell A. Larson
Primary Examiner